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TO RUEHC/SECSTATE WASHDC IMMEDIATE 3554
INFO RUCNARF/ASEAN REGIONAL FORUM COLLECTIVE PRIORITY
RHEFDIA/DIA WASHINGTON DC
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C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 001710

SIPDIS

DEPT FOR EAP, EAP/MTS, EAP/MLS, EAP/RSP, DRL

E.O. 12958: DECL: 10/09/2019

TAGS: [PGOV](#) [KJUS](#) [ID](#)

SUBJECT: MURDER OF ACTIVIST MUNIR -- PROGRESS MADE AFTER
FIVE YEARS, BUT NOT ALL PIECES IN PLACE

REF: JAKARTA 1280 AND PREVIOUS

Classified By: Pol/C Joseph L. Novak, reasons 1.4(b+d).

¶1. (C) SUMMARY: Well-known human rights activist Munir Said Thalib was murdered just over five years ago. So far, the Indonesian government has convicted three people for involvement in the crime. The GOI is still working to convict remaining suspect--former top intelligence official Muchdi Purwopranjono--on charges of essentially masterminding the crime. Mission continues to urge the GOI to press for justice in the case. Munir's widow, Suciwati, has thanked the USG for its efforts. END SUMMARY.

PROSECUTIONS TO DATE

¶2. (SBU) Respected Indonesian human rights activist Munir Said Thalib was murdered just over five years ago. Munir died after being poisoned with arsenic during a September 7, 2004, flight from Jakarta to Amsterdam. In December 2004, then newly-elected President Yudhoyono convened a fact-finding team for the purpose of assisting the police in its investigation into Munir's murder. Yudhoyono instructed all Indonesian state agencies to collaborate with the fact-finding team.

¶3. (SBU) Since that time, the Indonesian government has pursued the perpetrators and pushed hard to secure convictions. To date:

-- In January 2008, the Supreme Court upheld the conviction and 20-year sentence given to former pilot Pollycarpus Priyanto. Pollycarpus administered the fatal dose of poison given to Munir;

-- In June 2009, the Supreme Court upheld the conviction and 18-month sentence of Indra Setiawan, the former chief executive of the Indonesian national airline Garuda. Setiawan facilitated Pollycarpus' access to Munir on the flight; and,

-- In January 2009, the Supreme Court convicted and sentenced Rohailnil Aini, a former secretary with the national airline, to 12 months in jail for forging documents allowing Pollycarpus's access to Munir.

STILL PRESSING CASE

¶4. (SBU) The GOI continues to press the case by pursuing those it believes actually masterminded the crime. The key figure in this regard is Muchdi Purwopranjono, a former top intelligence official. In December 2008, Muchdi was found not guilty of the crime. In June, the Supreme Court rejected an appeal filed by prosecutors regarding that ruling. The Attorney General's Office (AGO) says it intends to file a motion requesting the Supreme Court to "review" the ruling and thus allow a new trial. Under Indonesian law, the AGO

must present new evidence or identify judicial inconsistencies in the original ruling for a review to be granted.

15. (SBU) Human rights activists remain hopeful for justice citing a similar judicial precedent set in the Munir case. Activists point out that the ongoing Muchdi case is potentially following a similar trajectory as the Pollycarpus case. In the Pollycarpus case, his conviction by the Jakarta District Court was initially overturned by the Supreme Court.

In response, the AGO presented new evidence and filed a motion to review that decision. Based on the new evidence the Supreme Court upheld the original conviction against Pollycarpus, even adding six years to his original sentence.

16. (C) There has been another twist. Recently, human rights activist and Munir confidant, Usman Hamid, was questioned by the INP re allegations of defamation lodged by Muchdi. Hamid succeeded Munir as the head of the Commission for Missing Persons and Victims of Violence (KONTRAS) and served on the government fact-finding team that initially investigated Munir's murder. Earlier this year, Hamid publicly declared, "Muchdi Purwopranjono is a killer," claiming that the retired BIN official masterminded the 2004 murder. Hamid informed poloff that his defiant stance served to keep the spotlight on the Munir case. After being questioned by the police, Hamid told poloff that the INP was extremely professional and transparent in handling the complaint against him.

USG WORKS BEHIND SCENES

17. (C) The Indonesian government has a good record in this

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case. Mission and USG visitors continue to urge the GOI to keep up the pressure for justice, however. Suciwati (one name only), the widow of Munir, chatted recently with both DCM and EAP/MTS Director, and thanked them for Mission's ongoing support. She asked for Mission's assistance in pressing the case with members of the new Indonesian Parliament and incoming government officials. Mission will press forward to do this.

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